

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.313 of 2018

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Lalita Devi, W/o Bharat Prasad, R/o village – Garkha, P.S. Garkha, District- Saran

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna
2. The Principal Secretary, Registration, Excise and Prohibition Department, Government of Bihar, Patna
3. The Collector, District- Saran
4. The Superintendent of Police, Saran

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Advocate
For the Respondent/s : Mr. Kumar Ravish, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 09-01-2018 The house of the petitioner situated at village- Garkha, South to Chapra Road NH-102, District- Saran has been sealed and recommended for confiscation to the District Magistrate, Saran in connection with Garkha P.S. Case No. 209/2017 under the Bihar Prohibition and Excise Act, 2016.

Seeking release of the house in question, this writ petition has been filed and it is common ground that in various cases, similar petitions have been allowed and pending finalization of the confiscation proceedings, seized house has been directed to be unsealed.

Keeping in view the aforesaid, this petition is also



allowed and the house in question, situated at village- Garkha, south to Chapra Road NH 102, District- Saran shall be unsealed and possession handed over to the petitioner forthwith on her furnishing adequate Bank Guarantee to the satisfaction of the District Magistrate, Saran within one week from the date of submitting Bank Guarantee, subject to the condition that the petitioner shall not alienate or create any third party interest or deal with the house in question in any manner so as to prejudice the right of the State in confiscation proceeding.

With the aforesaid, the petition stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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